4063

BILL NO. Z-78-05-27

ZONING MAP ORDINANCE NO. Z-17-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-3.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. O-3, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lillies Outlots, Eckels Sub., Lots 10, 11, and 12.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice, at the Council~~ Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M.,E.S.T.

DATE: 5-23-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8			1	
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.				✓	
STIER	✓				
TALARICO	✓				

DATE: 7-11-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (~~RESOLUTION~~) No. 2-17-78 on the 11th day of July, 19 78

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 19 78, at the hour of 11:39 o'clock A M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 18th day of July, 19 78 at the hour of 4:00 o'clock P M.,E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 23, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-05-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 19, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan:

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

Luben Lazoff

Luben Lazoff
Secretary

Bill No. Z-78-05-27

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. O-3

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

7-11-78
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

GrayLine BUSINESS FORM—PRODUCT OF WILSON JONES

RECEIPT

Date May 10 19 78 No. 10153

Received From James J. McCarron

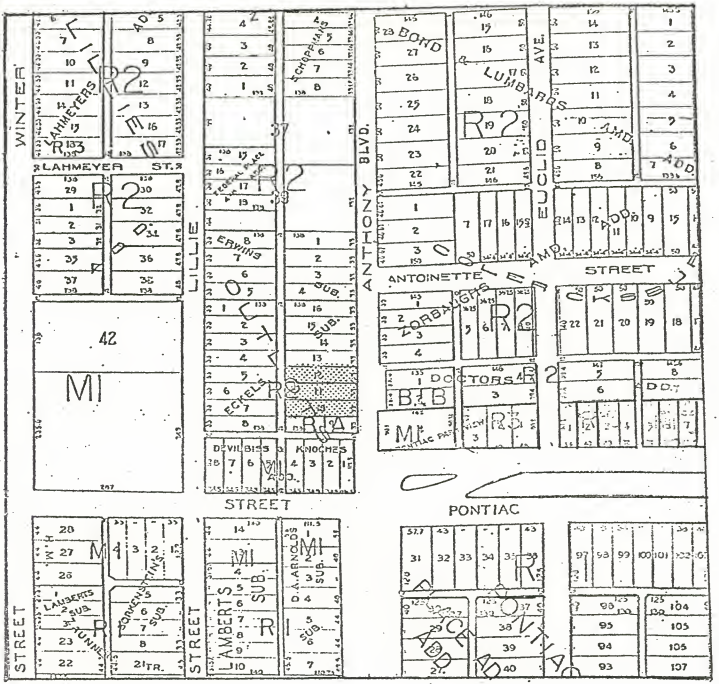
Address 26 S. Jefferson St.

Fifty Dollars Dollars $ 50.00

For Rezoning Fee

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	00	CASH		
AMT. PAID	50	00	CHECK	#3573	
BALANCE DUE	—		MONEY ORDER		

By Gary Baeter



REZONE FROM R-2 to B1A

MAP NO. 0-3

Z-78-05-27

BY M.E.C. 5-10-78

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We Philip M. Holmes William Files Sr.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-2 District to a/an B-1-A District the property described as follows:

Lillies Outlots Eckels Sub. Lots No. 10, 11, and 12

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address & Zip Code)	(Signature)
Philip M. Holmes	8501 Trier Road, Ft. Wayne, In. 46815	Philip M. Holmes
William Files Sr.	1315 McCulloch St. Ft. Wayne, In. 46803	William Files, Sr.

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip code)	(Telephone Number)
James J. McCarron	206 E. Jefferson St., Fort Wayne, Ind. 46802	745-1006 Residence 422-6914 Business

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

10-3

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)

4063

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-05-27

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lillies Outlots Eckels Sub., Lots No. 10, 11, and 12.

EFFECT OF PASSAGE Property is now zoned R2 - Two Family Residential. Property will become B-1-A - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

July 18, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 24 and July 31, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for the Fort Wayne Common Council

Bill No. G-77-08-18
General Ordinance No. G-17-78

Bill No. G-78-05-11
General Ordinance No. G-18-78

Bill No. G-78-05-28
General Ordinance No. G-19-78

Bill No. Z-78-05-26
Zoning Map Ordinance No. Z-16-78

Bill No. Z-78-05-27
Zoning Map Ordinance No. Z-17-78

Bill No. Z-78-05-25
Zoning Map Ordinance No. Z-15-78

Please send us 20 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

AN EQUAL OPPORTUNITY EMPLOYER

LEGAL NOTICE

Notice is hereby given that the the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-77-08-18 ---- General Ordinance No. G-17-78 being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley.

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-78-05-11 ---- General Ordinance No. G-18-78 being AN ORDINANCE amending General Ordinance No. G-97, by authorizing the vacation of a certain street

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-05-28 --- General Ordinance No. G-19-78 being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street and alley

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-04-25 ---- Zoning Map Ordinance No. Z-15-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-38

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-05-26 --- Zoning Map Ordinance No. Z-16-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S18

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-05-27 --- Zoning Map Ordinance No. Z-17-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-3

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-77-08-18 -- General Ordinance No. G-17-78; Bill No. G-78-05-11 --- General Ordinance No. G-17-78; Bill No. G-78-05-28 --- General Ordinance No. G-19-78; Bill No. Z-78-04-25 ---- Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 --- Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 ---- Zoning Map Ordinance No. Z-17-78, were passed by the Common Council on the 11th day of July, and that said Ordinances were duly signed and approved by the Mayor on the 18th day of July, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of July, 1978.

Charles W. Westerman

Charles W. Westerman
City Clerk

Copies of said Bill No. G-77-08-18 --- General Ordinance No. G-17-78; Bill No. G-78-05-11 --- General Ordinance No. G-18-78; Bill No. G-78-05-28 --- General Ordinance No. G-19-78; Bill No. Z-78-04-25 --- Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 --- Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 --- Zoning Map Ordinance No. Z-17-78, are posted in the following places in Fort Wayne, Allen County, Indiana

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. G-77-08-18 --- General Ordinance No. G-17-78; Bill No. G-78-05-11 --- General Ordinance No. G-18-78; Bill No. G-78-05-28 ---- General Ordinance No. G-19-78; Bill No. Z-78-04-25 ---- Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 ---- Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 --- Zoning Map Ordinance No. Z-17-78, are also available for reading in the following public places in Fort Wayne, Indiana

(4) The Reference Room in the north end of the main floor in said Downtown Public Library

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 24, 1978.

Charles W. Westerman

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
Body	number of lines	122
	number of lines	1
	Total number of lines in notice	123

CHARGES

23 lines, 1 columns wide equals 123 equivalent lines at .259¢ cents per line $ 31.86

nal charge for notices containing rule or tabular work (50 per cent of above t)

e for extra proofs of publication (50 cents for each proof in excess of two) 9.00

TOTAL AMOUNT OF CLAIM $ 40.86

UTING COST

9.9
of single column ems Size of type 5½ point

er of insertions 2 Size of quad upon which type is cast 5½

rovision and penalties of Ch. 89, Acts 1967,

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just p part of the same has been paid.

Arvilla DeWald

Title CLERK

, 19 78

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Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-05-26 — Zoning Map Ordinance No. Z-16-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-18.

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-3.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-77-08-18 — General Ordinance No. G-17-78; Bill No. G-78-05-11 — General Ordinance No. G-17-78; Bill No. G-78-05-28 — General Ordinance No. G-19-78; Bill No. Z-78-04-25 — Zoning Map Ordinance No. Z-15-78; Bill No. Z-7805-26 — Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78, were passed by the Common Council on the 11th day of July, and that said Ordinances were duly signed and approved by the Mayor on the 18th day of July, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana this 18th day of July, 1978.

Charles W. Westerman, City Clerk

Copies of said Bill No. G-77-08-18 — General Ordinance No. G-17-78; Bill No. G-78-05-11 — General Ordinance No. G-18-78; Bill No. Z-78-04-25 — Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 — Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78, are posted in the following places in Fort Wayne, Allen County, Indiana.

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Charles W. Westerman City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 24, 1978.

Charles W. Westerman City Clerk

7—24-31

CH COPY OF
ISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city (town) of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/24-31/78

Arvilla DeWald

Subscribed and sworn to before me this 31st day of July 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	
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COMPUTION OF CHARGES

123 lines, 1 columns wide equals 123 equivalent lines at .259¢ cents per line	$ 31.86
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	9.00
TOTAL AMOUNT OF CLAIM	$ 40.86

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date July 31, 19 78

Title CLERK

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SEMENT HERE

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State of Indiana } ss:
ALLEN County }

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Arvilla DeWald

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Allen County, Ind.

To THE NEWS-SENTINEL Dr.

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Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-78-05-26 — Zoning Map Ordinance No. Z-16-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 518.

Notice is hereby given that on the 11th day of July, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78 being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-3.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. G-77-08-18 — General Ordinance No. G-17-78; Bill No. G-78-05-11 — General Ordinance No. G-17-78; Bill No. G-78-05-28 — General Ordinance No. G-19-78; Bill No. Z-78-04-25 — Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 — Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78, were passed by the Common Council on the 11th day of July, and that said Ordinances were duly signed and approved by the Mayor on the 18th day of July, 1978, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana this 18th day of July, 1978.

Charles W. Westerman, City Clerk

Copies of said Bill No. G-77-08-18 — General Ordinance No. G-17-78; Bill No. G-78-05-11 — General Ordinance No. G-18-78; Bill No. G-78-04-25 — Zoning Map Ordinance No. Z-15-78; Bill No. Z-78-05-26 — Zoning Map Ordinance No. Z-16-78; Bill No. Z-78-05-27 — Zoning Map Ordinance No. Z-17-78, are posted in the following places in Fort Wayne, Allen County, Indiana.

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Charles W. Westerman City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on July 24, 1978.

Charles W. Westerman City Clerk

7—24—31

OF CHARGES

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V.E. Gerken

31, 19 78 Title CLERK

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State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL, a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

7/24-31/78

V.E. Gerken

Subscribed and sworn to before me this 31st day of July 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head number of lines		
Body number of lines		122
Tail number of lines		1
Total number of lines in notice		123

COMPUTATION OF CHARGES

123 lines, 1 columns wide equals 123 equivalent lines at ~~.259~~ cents per line	$ 31.86
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	9.00
TOTAL AMOUNT OF CLAIM	$ 40.86

DATA FOR COMPUTING COST

Width of single column ~~11~~ 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

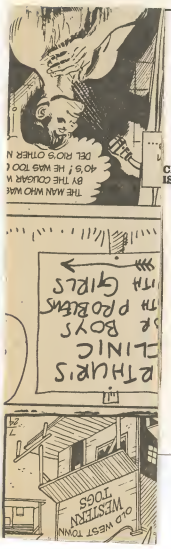
Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date July 31, 19 78

Title CLERK



PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

7/24-31/78

V. E. Gerken

Subscribed and sworn to before me this 31st day of July, 1978

Notary Public

My commission expires September 28, 1979